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September 21, 2023

Via ECF

Hon. Sarah L. Cave
United States Magistrate Judge
United States District Court-SDNY
500 Pearl Street, Courtroom 18A
New York, NY 10007

Re: Sydney Hyman v. Andrew Fabbri and Jessica Cohen
Case No. 19-civ. 10506 (AT)

Dear Judge Cave:

Harrington, Ocko & Monk LLP represents Plaintiff Sydney Hyman ("Plaintiff" or "Hyman") in the above referenced matter.

By Order dated August 1, 2023 [Document # 160], Your Honor issued an Order regarding additional discovery being requested by both Plaintiff and Defendant in this matter. Pursuant to this Order, Your Honor provided Plaintiff until September 29, 2023 to complete her supplemental document production. See Order, ¶ 1. Your Honor's Order also requires Plaintiff to provide an updated damages computation pursuant to FRCP 26(a)(1)(A)(iii), also by September 29, 2023. See Order, ¶ 1. The supplemental production and updated damages calculations relate to the rebuilding and repair of Plaintiff's fire-damaged loft in the building at 51 Greene Street that is at the center of this action. The rebuilding and repairs of Plaintiff's loft are still ongoing and are expected to be completed this Fall.

We are writing to advise that on September 10, 2023 Plaintiff began feeling seriously ill as a result of contracting COVID-19. As a result of complications from COVID-19, Plaintiff has been ill and incapacitated since September 10th, including having to be treated in the emergency room and remain in bed for most of the day due to her illness. Attached hereto as Exhibit A is a letter from her treating physician, Dr. Diana Lee Santini, of Weill Cornell Medicine, Internal Medical Associates at New York-Presbyterian Hospital. Pursuant to the letter from Dr. Santini, Ms. Hyman has been ill since September 10, 2023 and should be able to return to her normal duties by September 25, 2023.

The purpose of this correspondence is to request a short extension of the deadlines pertaining to Plaintiff in Your Honor's Order from September 29, 2023 to October 13, 2023. Your Honor has graciously granted numerous extensions for the parties to complete discovery in this matter due to the fact that the building itself, including Plaintiff's third floor unit, rebuilding and repair have been significant and has taken longer than originally anticipated. We respectfully submit that Plaintiff's illness constitutes an unforeseeable and extraordinary circumstance to

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justify a short two-week extension that corresponds approximately with the time period that Ms. Hyman has been impacted and unable to attend to any of her duties, including her discovery obligations in this case.

We have contacted Defendant's counsel and they have kindly consented to the 2-week extension request. As the supplemental productions by Plaintiff are necessary for Defendant to complete its remaining discovery, Defendant requests an additional 2-week adjournment to complete Defendant's remaining discovery set forth in the Order, which of course Plaintiff consents to.

To the extent that the Court requires any further information or documentation on Ms. Hyman's illness, we will be happy to request and provide same.

Thank you for your kind and continuing attention to this matter.

Very truly yours,



Michael W. Freudenberg

MWF:sbt
Enc.

cc: Counsel of Record (w/enc.), via ECF